

**Members Present:** Peter Lilienfield, Chairman  
Carolyn Burnett, Acting Secretary  
William Hoffman  
Jay Jenkins

**Member Absent:** Walter Montgomery

**Also Present:** Lino Sciarretta, Village Counsel  
Brenda Livingston & Joseph Elliott, Ad Hoc Planning Board Members  
Edward P. Marron, Jr., Building Inspector  
Florence Costello, Planning Board Clerk  
MJ Wilson, Environmental Conservation Board  
Applicants and other persons mentioned in these Minutes.

**IPB Matters Considered:**

- 94-03 – Westwood Development Associates, Inc.**  
Tract A
- 01-26 – Danfor Realty – Harriman Road**  
Sht. 13B, P-5,P-5C
- 02-03 – Abbott House – 100 North Broadway**  
Sht. 10, P-21
- 02-11 – Geraldine McGowan Hall – 200 Mountain Road/Hermits Road**  
Sht. 11, P-7J
- 02-44 – Westwood Development Associates**  
Lot 4
- 03-07 – William Horwitz, 9 Hudson Road East**  
Sht. 15, P-121C
- 03-09 – Robert Manzi/River City Grille – 6 South Broadway**  
Sht. 6, Bl. 217, Lot 16A
- 03-10 – R. L. Narayan – 3 Beechwood Road**  
Sht. 13, P-5
- 03-15 – Vincent DeSantis – 64 West Clinton Avenue**  
Sht. 7B, Bl. 249, Lot 7A
- 03-19 – Storm & Debbie Field – 105 Riverview Road**  
Sht. 10, P-21D
- 03-20 – Carol Santini, River House, No. Buckhout St.**  
Sht. 4, Bl. 203, Lot 32
- 03-22 – Ante & Sylvia Marusic – 60 Hudson Avenue**  
Sht. 10B, Bl. 230, Lot 22C
- 03-23 – Marc & Judith Kleber – 31 Jaffray Court**  
Sht. 7C, Bl. 250, Lot 7

**03-24 – Simun Luburic – Fieldpoint Drive**

Sht. 10F, Bl. 253, Lot 18

**03-25 – Barbara Collier – 8 Barney Park**

Sht. 5, Bl. 210, Lot 23/26

**03-26 – Michael Morley – 20 North Dutcher Street**

Sht. 5, Bl. 209, Lot 28

**Carried Over:**

**03-15- Vincent DeSantis – 64 West Clinton Avenue**

Sht. 7B, Bl. 249, Lot 7A

**03-19 – Storm & Debbie Field – 105 Riverview Road**

Sht. 10, P-21D2

**03-22 – Ante & Sylvia Marusic – 60 Hudson Avenue**

Sht. 10B, Bl. 230, Lot 22C

**Taken Off Agenda: 03-09 – Robert Manzi/River City Grille – 6 South Broadway**

Sht. 6, Bl. 217, Lot 16A

The Chairman called the meeting to order at 8:00 p.m.

Administrative:

With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees. Further, unless otherwise noted, the Applicants submitted evidence of notice to Affected Property Owners.

**IPB Matter #03-10:**

**Application of R. L. Narayan for Site  
Development Plan Approval for property at  
3 Beechwood Road.**

James Sowlakis, architect, represented the applicant, who is proposing to construct a first-floor rear kitchen addition as well as a bedroom and a bathroom for use by a handicapped person, an expansion of the existing front-entrance porch and enlargement of the second floor master bedroom and bath.

The Board opened a Public Hearing on this matter. There were no comments from the public. Discussion focused on the need for additional landscaping to augment the Broadway buffer; after reviewing photographs provided by the Applicant, the Board indicated that no further landscaping would be required, although it did ask the Applicant to consider additional screening should gaps occur.

The Board closed the Public Hearing, and determined that the Application would be treated as a Type II Action under SEQRA. Upon motion duly made and seconded the Board granted Site Development Plan Approval for plans entitled Narayan Residence, Renovation & Addition, prepared by James Sowlakis, dated 02/24/03, last revised 04/04/03 (nine

sheets) and Plot Plan for Lot P-5, Sheet 23A, dated 5/5/03, prepared by Thomas Donohue, NYSPE.

**IPB Matter #03-20:**

**Application of Carol Santini for Waiver of  
Requirements for Site Development Plan  
Approval for property at River House,  
North Buckhout Street.**

Radislov Opacic, architect, as well as Carol Santini, appeared in support of the application. Applicant is seeking to enclose an existing outdoor deck, converting it into an additional bedroom. Plan entitled Santini Residence by Opacic Architects dated April 22, 2003, (1) sheet was submitted.

Discussion centered on the need for additional parking due to the increase in the number of bedrooms; Village Counsel indicated that no additional parking was required per the Village Code. The Applicant also indicated that the addition would not block any views due to its location. A letter from the Condominium Association indicating approval of the Applicant's plan was provided, however it was undated; the Chairman requested a dated version be provided for the Planning Board's files. There were no comments from the public.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. The Board determined that the Application would be treated as a Type II Action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application subject to the receipt of a dated letter from the Condominium Association.

**IPB Matter #03-24:**

**Application of Simun Luburic for Site  
Development Plan Approval for property at  
Fieldpoint Drive.**

Simun Luburic appeared personally for the application, which is for the modification of a previously approved Site Development Plan (see IPB Matter # 2001-47). Applicant proposes to add walls and pillars at the driveway entrance off of Fieldpoint Drive, and to construct a new set of stairs and a wood plank foot-bridge over the spillway. Plans entitled Proposed Site Plan for Mr. Simun Luburic by Petruccelli Engineering dated October 22, 2001, revised May 16, 2003 (three sheets) were submitted.

The Board reviewed the proposal with the Applicant, and indicated that the pillars were located on Village land, and not the Applicant's property. The Applicant provided a letter from Greg Nilsson, Supt. Of Public Works, dated 3/31/03 approving such pillars, but the Chairman indicated that such approval must be granted by the Board of Trustees.

The Applicant indicated that the proposed modifications would not affect the Flood Plain. The Board indicated that the foot bridge should also be eliminated due to its location. The Applicant agreed to do so.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. The Board determined that the Application would be treated as a Type II Action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application, subject to the removal of the pedestrian bridge from the plans and the Applicant receiving approval for the pillars from the Board of Trustees.

**IPB Matter #03-25:**

**Application of Barbara Collier for Waiver of  
Site Development Plan Approval for property  
at 8 Barney Park.**

Robert Reilly, Architect, appeared for the application. The Applicant is proposing to legalize a deck, constructed in early 1980, at the rear of an existing single family dwelling. A photocopy of a survey with a 10 ft. x 18 ft. deck sketched was submitted by R. Reilly.

Mr. Marron indicated that the deck conformed to existing zoning requirements. Mr. Mastromonaco had no engineering concerns. The Chairman, with the Board's concurrence stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II Action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

**IPB Matter #03-26:**

**Application of Michael Morley for Waiver of  
Requirements for Site Development Plan  
Approval for property at 20 North Dutcher  
Street.**

Richard Blancato, Esq., appeared for the application. This application is for legalization of an existing deck to rear of dwelling adding approximately 270 sq. ft.

Applicant submitted a copy of survey prepared for Michael and Paula Morley dated March 15, 1993 by Scott T. Chamberlain, L.S. Also submitted was a copy of the Zoning Board of Appeals approval (ZBA #2003-17) granting a variance from the requirements of Sec. 224-11 (set backs), 224-13 (coverage) and 224-89A (non-conforming lots) of the Ordinance to permit the continuation of a deck at the rear of the residence.

The Chairman, with the Board's concurrence stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public and Mr. Mastromonaco had no engineering concerns. The Board then determined that the application is for a proposed action which is a Type II Action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

**IPB Matter #03-07:**

**Application of William Horwitz for Site  
Development Plan Approval for property at  
9 Hudson Road East.**

Andrew Whitelaw, architect, and Mr. Horwitz appeared on behalf of the application. The applicant is seeking to construct an in-ground swimming pool, decking and fencing.

The Chairman opened the public hearing. There were no comments from the public. The Environmental Conservation Board suggested pivoting the pool to address as a means of reducing tree loss, but this was shown not to be feasible. The Applicant agreed to plant three additional trees to make up for those being taken down. Comments from Mr. Mastromonaco centered on fencing and screening. Mr. Marron indicated that

the fencing around the pool equipment and between the house and the pool would be addressed at the time of building permit consideration..

The Board closed the Public Hearing, and determined that the Application would be treated as a Type II Action under SEQRA. Upon motion duly made and seconded the Board granted Site Development Plan Approval for plans entitled approved New Inground Swimming Pool at Horwitz Residence dated February 12, 2003 revised May 9, 2003, prepared by Andrew T. Whitelaw, architect.

**IPB Matter #02-11:**

**Application of Geraldine McGowan-Hall for  
Site Development Plan Approval for property at  
200 Mountain Road/Hermit's Road.**

Wayne Timonen, architect, and Dr. Henry Hall appeared on behalf of this continuing application. The applicant is proposing to renovate and expand an existing house and is also proposing to install a drain in the existing driveway and close on of the two driveway entrances. Plans submitted: Wetland Enhancement Plan, Hall Property prepared by Evans Associates dated October 7, 2002, revised October 30, 2002; Hall Residence by Timonen Design and GAL Associates various dates, Sheets A-1 thru A-16, which includes a Site Plan, Hall Residence by GAL Associates dated January 4, 2001 revised May 20, 2003, Sheet A-S

The Board opened the Public Hearing on this matter. Mr. Marron indicated that he still had concerns regarding the height of the proposed structure as the tower exceeds 35 feet and is part of a continuous roof; the Applicant indicated that it would be addressed in subsequent submissions. Mr. Mastronmonaco indicated that the package of plans submitted contained two different site plans that were prepared by different consultants. Revised plans were to also show the proposed play area, as well as to contain coverage calculations. The Applicant was asked to address these and other engineering concerns, submitting new plans as appropriate.

The Board continued the Public Hearing.

**IPB Matter #02-03:**

**Application of Abbott House for Renewal of  
Special Permit.**

Marianne Sussman, Esq, appeared for the Applicant. This application deals with the Special Permit previously issued to Abbot House that needs to be reconsidered for renewal every 5 years. The Planning Board had deferred action on this Application pending review and input from Village Counsel on several requests by the Applicant.

The Planning Board received a letter from Ms. Sussman, dated may 20, 2003, requesting that the Board remove certain of the conditions contained in the previous Special Permit which relate to matters of the operation of Abbot House rather than its land use. The conditions of concern were numbers 2,3,4,6,7,8,9,10,11,12,13, and 14.

Mr. Jenkins expressed reluctance to remove any conditions from the permit, and requested additional clarification as to why they were burdensome. The Chairman asked Mr. Sciarretta to review Ms. Sussman's letter, and to provide written input to the Planning Board.

In anticipation of the receipt of Mr. Sciarretta's opinion, the Planning Board scheduled a Public Hearing for the August meeting (the Applicant requested that the Public Hearing not be conducted in July).

**IPB Matter #03-23:**

**Application of Marc & Judith Kleber for Site Development Plan Approval for property at 31 Jaffray Court.**

Padraic Steinschneider of Gotham Design represented the applicants. This application was carried over from the May 7, 2003 meeting. Applicants are proposing to construct first-and second-floor additions to their home and expand the existing front porch. Applicant submitted "shadow studies" depicting how the proposed addition would affect the amount of sunlight reaching the adjoining properties.

The Board received a number of letters submitted by various property owners. Comment was also provided by members of the public, including adjoining property owners.

The Applicant indicated that they had appeared before the Architectural Review Board, as recommended by the Planning Board at the May meeting. As the Planning Board has not received comments from the ARB, it was decided to carry the matter over to the July meeting. A site inspection was arranged for Saturday, June 21<sup>st</sup> for any interested Board members.

**IPB Matter #01-26:**

**Application of Danfor Realty for Subdivision Approval for property adjoining Harriman Road.**

Mr. Paul Petretti, civil engineer and land surveyor, appeared on behalf of this continuing application for Preliminary Subdivision Layout and Limited Site Plan Approval of a seven-lot subdivision (two lots of which are already improved). Plans submitted were: Construction Plans, Sunnyside View, Village of Irvington by Paul J. Petretti, P.E., L.S. dated April 30, 1999 last revised May 14, 2003.

The Chairman opened the public hearing. The Chairman reiterated the need for the plans to show the proposed building envelope for each lot, as well as the location of driveway serving each lot. He also indicated that the cul de sac leading off of Park Road be designed to Village standards given that an offer of dedication was to be made to the Village.



With the Board's concurrence, Mr. Petretti indicated that he would draft a resolution for the Board's consideration, and would provide copies of the proposed easements to Mr. Sciarretta for his review. The Chairman requested that the draft resolution be provided in an electronic format to facilitate review and editing. He also noted receipt of a letter from Peter Yodice, President of Stonewall Villas in Irvington Homeowners' Association dated May 17, 2003 expressing concern with potential runoff and siltation. Mr. Petretti indicated that the design of the stormwater system address such issue. He also inquired about the Board's issuance of its SEQRA findings; the Chairman indicated that this would be handled simultaneously with consideration of the resolution.

The Public Hearing was continued.

**IPB Matter #02-44:**

**Application of Westwood Development Associates, Inc., for Site Development Plan Approval for property at Lot 4, Westwood Subdivision.**

**IPB Matter #94-03:**

**Application of Westwood Development Associates, Inc.**

*Note: These two matters were heard collectively.*

Mr. Padraic Steinschneider represented the applicant. Mr. Sciarretta indicated that the form of the improvement bond was acceptable, and Mr. Steinschneider indicated that he would work with the surety company. Mr. Marron reviewed some of the outstanding items contained in the Board's Resolution that needed to be addressed before further action, including the flagging and protection of natural resource areas and notification of the superintendent of public works. The Chairman noted that all outstanding fees needed to be paid to the Village, and indicated that staking and clearing of the roads would be necessary prior to the Board's being able to take action on any individual lot.

The Board indicated that it would conduct a site walk on June 21<sup>st</sup>, at which time it would review the progress of the project and consider the location of stockpile sites. At the Board's request, the Applicant agreed to stake the conservation easement along the property's western edge, and to indicate the location of the proposed improvements on Lot 4.

With regard to the design for Lot 4, Mr. Steinschneider reiterated the need for a reduction in the front yard setback due to the existence of the conservation easement. Discussion also centered on alternative means to address roof runoff and whether it should be directed towards the conservation easement or towards the road, and the grading of the land between Lot 4 and the adjoining lots. Mr. Marron indicated that he had concerns with the height of the proposed structure. The Applicant provided a rendering of the proposed structure.

The Board then took the following actions:

- It approved the minutes of its regular meeting of April 2, 2003.
- It confirmed its next Regular Meeting will be on July 9, 2003.
- It set site walks for Westwood and Kleber for June 21<sup>st</sup>.

Respectfully submitted,

Carolyn Burnett  
Acting Secretary